SIKES ACT IMPROVEMENT ACT OF 1997

- Enacted 18 November 1997
- Product of three-plus years of discussion
- Agreed to by DoD, USFWS, IAFWA

NEED FOR AMENDMENTS

- Broaden scope of natural resources program
- Integrate program with ops & training
- Embrace tenets of conservation biology
- Invite public review
- Strengthen funding for conservation

KEY ELEMENTS

- SecDef directed to carry out natural resources program...
  -- Previous program discretionary
  -- Previous program focused on fish & game conservation
  ...unless installation not home to significant natural resources

KEY ELEMENTS, cont.

- Mil Deps required to prepare and implement INRMPs for relevant installations
  - -- Broader in scope than cooperative plans
  - -- “Must fund” requirements
- INRMPs prepared in cooperation with DoI/FWS and State fish & wildlife agencies
  - -- Anticipated a truly collaborative process

KEY ELEMENTS, cont.

- INRMP shall reflect “mutual agreement” of the parties
  -- goal: agreement re entire plan
  -- requirement: agreement re elements of plan within scope of USFWS and State’s legal authority
- Sikes Act neither enlarges nor diminishes parties’ legal authorities

KEY ELEMENTS, cont.

- Required elements of plan:
  - -- Natural resources management
  - -- Habitat enhancement
  - -- Integration of activities
  - -- Public access and sustainable public use
  - -- Specific goals and objectives
- Plus requirements from DoDI
  - -- Embrace principles of ecosystem mgmt

KEY ELEMENTS, cont.

- Program and INRMP must:
  -- Be consistent with the use of installations to ensure military preparedness; and
  -- Ensure no net loss in capability of installations to support military mission
- Obvious tension left unresolved

PROCEDURAL REQUIREMENTS

- Must provide opportunity for public comment on INRMP
  - -- NEPA enough?
  - -- Does DoDI require more?
- 5-year reviews
- SecDef annual Report to Congress

BOTTOM LINE

- Congress expects that:
  -- Plans will be developed cooperatively;
  -- Plans will be implemented; and
  -- Public will have access to installations to enjoy natural resources...
  -- But military preparedness CANNOT be compromised